

INTERNET  
FORM NLRB-501  
(2-08)UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case **20-CA-252802**Date Filed **12/03/2019****INSTRUCTIONS:**

File an original with NLRB Regional Director for the Region in which the alleged unfair labor practice occurred or is occurring

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer  Google Inc.		b. Tel. No. 650-440-8301	
		c. Cell No. 212-565-4124	
		f. Fax No.	
d. Address (Street, city, state, and ZIP code) 345 Spear St., San Francisco, CA 94105 1600 Amphitheater Parkway, Mountain View, CA 94043		e. Employer Representative Eileen Naughton	g. e-Mail Enaughton@google.com
		h. Number of workers employed 100,000+	
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company		j. Identify principal product or service Internet related services and products	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) and of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)			
In the past six months, the above-referenced Employer has placed (b) (6), (b) (7)(C) on administrative leave in retaliation for exercising Section 7 rights. The employer has also unlawfully interrogated (b) (6), (b) (7)(C) about communications (b) (6) had with an employee who was engaged in protected, concerted activity for mutual aid and protection.			
3. Full name of party filing charge (if labor organization, give full name, including local name and number)			
(b) (6), (b) (7)(C)			
4a. Address (Street and number, city, state, and ZIP code)  (b) (6), (b) (7)(C)		4b. Tel. No.	
		4c. Cell No. (b) (6), (b) (7)(C)	
		4d. Fax No.	
		4e. e-Mail (b) (6), (b) (7)(C)	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)			
6. DECLARATION		Tel. No. 510-337-1001	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Office, if any, Cell No.	
By  (signature of representative or person making charge)		Fax No. 510-337-1023	
David W. M. Fujimoto, Attorney (Print/type name and title or office, if any)		e-Mail nlrbnotices@unioncounsel.net	
Address: Weinberg, Roger & Rosenfeld 1001 Marina Village Parkway, Suite 200 Alameda, CA 94501		December 3, 2019 (date)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

1\1058422



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
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Mobile App

December 4, 2019

Eileen Naughton, Employer Representative  
Google Inc.  
345 Spear Street  
San Francisco CA 94105

Re: Google, Inc.  
Case 20-CA-252802

Dear Ms. Naughton:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

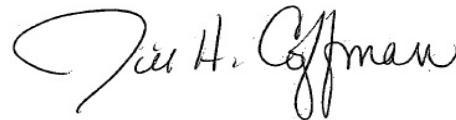
**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: Eileen Naughton, Employer Representative  
Google Inc.  
1600 Amphitheater Parkway  
Mountain View CA 94043

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**GOOGLE, INC.**

Charged Party

and

**(b) (6), (b) (7)(C)**

Charging Party

**Case 20-CA-252802**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 4, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Eileen Naughton, Employer Representative  
Google Inc.  
345 Spear Street  
San Francisco CA 94105

Eileen Naughton, Employer Representative  
Google Inc.  
1600 Amphitheater Parkway  
Mountain View CA 94043

December 4, 2019

Date

Caroline Barker, Designated Agent of NLRB

Name

/s/ Caroline Barker

Signature





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 4, 2019

(b) (6), (b) (7)(C)

Re: Google, Inc.  
Case 20-CA-252802

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on December 03, 2019 has been docketed as case number 20-CA-252802. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

cc: David W.M. Fujimoto  
Weinberg Roger & Rosenfeld  
1001 Marina Village Pkwy  
Suite 200  
Alameda CA 94501



NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Google, Inc.
Charged Party
and

CASE 20-CA-252802

☒ REGIONAL DIRECTOR      ☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570      ☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Google, Inc. \_\_\_\_\_


IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: J. Al Latham, Jr., and Cameron W. Fox of Paul Hastings LLP	
MAILING ADDRESS: 515 S. Flower Street, 25th Floor, Los Angeles, CA 90071	
E-MAIL ADDRESS: allatham@paulhastings.com; cameronfox@paulhastings.com	
OFFICE TELEPHONE NUMBER: (213) 683-6319; (213) 683-6301	
CELL PHONE NUMBER:	FAX: (213) 627-0705
SIGNATURE:  	
(Please sign in ink.)	
DATE: December 9, 2019	

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.



NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Google, Inc.
Charged Party
and

CASE 20-CA-252802

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Google, Inc.



IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP	
MAILING ADDRESS: 200 Park Avenue, New York, New York 10166	
E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@paulhastings.com	
OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822	
CELL PHONE NUMBER: 952-240-4558	FAX: (212) 319-4090
SIGNATURE:  	
DATE: December 9, 2019	

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single employer

and

(b) (6), (b) (7)(C)

CASE 20-CA-252802

☐ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

(b) (6), (b) (7)(C)

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

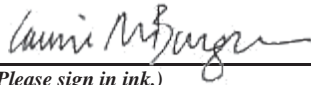
NAME: Laurie M. Burgess, Esq.

MAILING ADDRESS: Messing Adam & Jasmine, 235 Montgomery Street, #828, San Francisco, CA 94104

E-MAIL ADDRESS: laurie@majlabor.com

OFFICE TELEPHONE NUMBER: 415-266-1817

CELL PHONE NUMBER: 312-320-1718 FAX: 415-266-1128

SIGNATURE: 

DATE: (Please sign in ink) December 1, 2020

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
FIRST AMENDED CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

20-CA-252802

Date Filed

12-1-2020

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer  Alphabet Inc. and Google, single employer		b. Tel. No. (415) 736-0000
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code)  345 Spear Street San Francisco, CA 94105	e. Employer Representative  Sundar Pichai	g. e-mail sundar@google.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet-related services and products	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

In the past six months, the above-referenced employer has placed (b) (6), (b) (7)(C) on administrative leave, counseled (b) (6), (b) (7)(C) and put (b) (6), (b) (7)(C) on a six-month "readability" review by management in retaliation for exercising Section 7 rights. The employer has also unlawfully interrogated (b) (6), (b) (7)(C) about communications (b) (6) had with employees who engaged in protected, concerted activity for mutual aid and protection.

Party filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.

4c. Cell No.

(b) (6), (b) (7)(C)

4d. Fax No.


4e. e-mail

(b) (6), (b) (7)(C)

## 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

## 6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.



(signature of representative or person making charge)

Laurie M. Burgess, Counsel

(Print/type name and title or office, if any)

Tel. No.

(415) 266-1817

Office, if any, Cell No.

Fax No.

(415) 266-1128

e-mail

laurie@majlabor.com

Messing Adam &amp; Jasmine LLP

Address 235 Montgomery St., Ste. 828, San Francisco, CA 94104

Date December 1, 2020

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 2, 2020

Eileen Naughton, Employer Representative  
Google Inc.  
345 Spear Street  
San Francisco CA 94105

Re: Google, LLC and Alphabet Inc.  
a single employer  
Case 20-CA-252802

Dear Ms. Naughton:

Enclosed is a copy of the first amended charge that has been filed in this case.

**Investigator:** This charge is being investigated by Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Presentation of Your Evidence:** As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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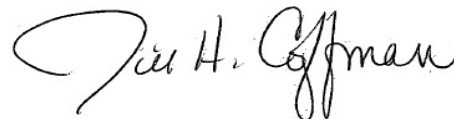
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determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

Enclosure: Copy of first amended charge

cc: Eileen Naughton, Employer Representative  
Google Inc.  
1600 Amphitheater Parkway  
Mountain View CA 94043

Sara Kalis, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

Brian Hayes, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**GOOGLE INC.**

Charged Party

and

**(b) (6), (b) (7)(C)**

Charging Party

**Case 20-CA-252802**

**AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on December 2, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Eileen Naughton, Employer Representative  
Google Inc.  
345 Spear Street  
San Francisco CA 94105

Eileen Naughton, Employer Representative  
Google Inc.  
1600 Amphitheater Parkway  
Mountain View CA 94043

Sara Kalis, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

Brian Hayes, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

December 2, 2020

Date

Caroline Barker, Designated Agent of NLRB

Name

/s/ Caroline Barker

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



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December 2, 2020

(b) (6), (b) (7)(C)

Re: Google, LLC and Alphabet Inc.  
a single employer  
Case 20-CA-252802

Dear (b) (6), (b) (7)(C):

We have docketed the first amended charge that you filed in this case.

**Investigator:** This charge is being investigated by Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to

comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, reading "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly legible.

---

JILL H. COFFMAN  
Regional Director

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco CA 94104



INTERNET  
FORM NLRB-501  
(2-08)UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST EMPLOYER****DO NOT WRITE IN THIS SPACE**Case  
**20-CA-252902**Date Filed  
**12/05/2019****INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

**1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT**

a. Name of Employer Google LLC		b. Tel. No. (b) (6), (b) (7)(C)
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 345 Spear St. CA San Francisco 94105-_____	e. Employer Representative	g. e-Mail
		h. Number of workers employed 100000
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology	j. Identify principal product or service Internet related services and products	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) _____ of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

**2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)**

--See additional page--

**3. Full name of party filing charge (if labor organization, give full name, including local name and number)**

(b) (6), (b) (7)(C)

Title:

**4a. Address (Street and number, city, state, and ZIP code)**

(b) (6), (b) (7)(C)

**4b. Tel. No.**

(b) (6), (b) (7)(C)

**4c. Cell No.****4d. Fax No.****4e. e-Mail**

(b) (6), (b) (7)(C)

**5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)****6. DECLARATION**

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

(b) (6), (b) (7)(C)

B

(signature of representative or person making charge)

(b) (6), (b) (7)(C)

Title:

(Print/type name and title or office, if any)

**Tel. No.**

(b) (6), (b) (7)(C)

**Office, if any, Cell No.****Fax No.****e-Mail**

(b) (6), (b) (7)(C)

Address

(b) (6), (b) (7)(C)

12/5/2019 10:23:36

(date)

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)****PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

## Basis of the Charge

### 8(a)(1)

Within the previous six months, the Employer disciplined or retaliated against an employee(s) because the employee(s) engaged in protected concerted activities by, inter alia, discussing wages, hours, or other terms and conditions of employment and in order to discourage employees from engaging in protected concerted activities.

Name of employee disciplined/retaliated against	Type of discipline/retaliation	Approximate date of discipline/retaliation
(b) (6), (b) (7)(C)	Administrative leave	(b) (6), (b) (7) /2019





UNITED STATES GOVERNMENT  
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December 6, 2019

(b) (6), (b) (7)(C)

Re: Google LLC  
Case 20-CA-252902

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on December 05, 2019 has been docketed as case number 20-CA-252902. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

**Qualifying for Backpay:** We are just beginning to investigate your charge and no decision has been made regarding the merits of your case. However, it is important that employees who might be entitled to backpay because of loss of employment understand their obligation to look for work in order to qualify for backpay if your case has merit. Accordingly, we urge you to promptly provide the Board agent with the names and addresses of all employees who might be entitled to backpay as a result of the charge you filed.



If backpay is due to an employee, the Board requires that the employee offset the backpay by promptly beginning to look for another job in the same or similar line of work. The Board has held that a reasonably diligent employee should begin searching for interim work within 2 weeks after the employee's termination or layoff or a refusal to hire the employee. If an employee cannot establish that he or she actively tried to mitigate his or her losses, the amount of money owed to the employee might be reduced.

Employees who might be owed backpay should keep careful records of when and where they have sought employment and of job search expenses such as mileage, parking, and copying resumes. Specifically, they should keep a record of each time they attempt to find work, including the date, name of the company, name of person with whom they spoke, the position sought, and the response received.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" being more prominent.

JILL H. COFFMAN  
Regional Director



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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Mobile App

December 6, 2019

Google LLC  
345 Spear St.  
San Francisco, CA 94105

Re: Google LLC  
Case 20-CA-252902

Dear Sir or Madam:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

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**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not

enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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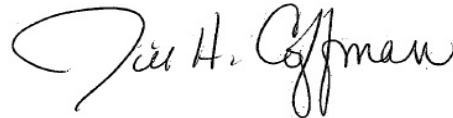
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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly distinguishable.

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire



**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

20-CA-252902

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months**? If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
FIRST AMENDED CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case  
20-CA-252902Date Filed  
12-1-2020

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer  Alphabet Inc. and Google, single employer		b. Tel. No. (415) 736-0000
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code)  345 Spear Street San Francisco, CA 94105	e. Employer Representative  Sundar Pichai	g. e-mail sundar@google.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet-related services and products	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

See Attached.

Filing charge (if labor organization, give full name, including local name and number)

(b) (6), (b) (7)(C)

4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

4b. Tel. No.  
(b) (6), (b) (7)(C)

4c. Cell No.

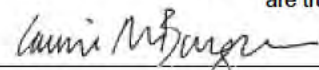
4d. Fax No.

4e. e-mail  
(b) (6), (b) (7)(C)

## 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

## 6. DECLARATION

I declare that I have read the above charge and that the statements  
are true to the best of my knowledge and belief.



(signature of representative or person making charge)

Laurie M. Burgess, Counsel

(Print/type name and title or office, if any)

Tel. No.  
(415) 266-1817

Office, if any, Cell No.

Fax No.  
(415) 266-1128e-mail  
laurie@majlabor.comMessing Adam & Jasmine LLP  
Address 235 Montgomery St., Ste. 828, San Francisco, CA 94104

Date December 1, 2020

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

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**Addendum to NLRB FIRST AMENDED CHARGE AGAINST EMPLOYER filed by (b) (6), (b) (7)(C), against:**

Alphabet Inc. and Google, single employer

In the past six months, the above-referenced Employer has placed (b) (6), (b) (7)(C) on administrative leave, issued (b) (6), (b) (7)(C) a final warning, and caused (b) (6), (b) (7)(C) cell phone number to be terminated, in retaliation for exercising Section 7 rights.

The employer has also unlawfully interrogated (b) (6), (b) (7)(C) about communications (b) (6), (b) (7)(C) had with an employee who was engaged in protected concerted activity for mutual aid and protection.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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December 2, 2020

Eileen Naughton, Employer Representative  
Google Inc.  
345 Spear Street  
San Francisco CA 94105

Re: Google, LLC an Alphabet Inc.  
a single employer  
Case 20-CA-252902

Dear Ms. Naughton:

Enclosed is a copy of the first amended charge that has been filed in this case.

**Investigator:** This charge is being investigated by Supervisory Attorney KATHLEEN C. SCHNEIDER; whose telephone number is (628)221-8873.

**Presentation of Your Evidence:** As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

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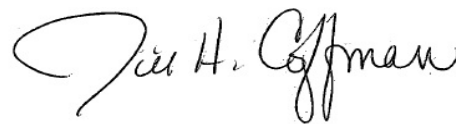
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**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

Enclosure: Copy of first amended charge

cc: Sara Kalis, Attorney  
Paul Hastings LLP  
200 Park Ave  
New York NY 10166-0005

Brian Hayes, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

Eileen Naughton, Employer Representative  
Google Inc.  
1600 Amphitheater Parkway  
Mountain View CA 94043



**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**GOOGLE, LLC AND ALPHABET INC., A  
SINGLE EMPLOYER**

Charged Party

and

**(b) (6), (b) (7)(C)**

Charging Party

**Case 20-CA-252902**

**AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on December 2, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Eileen Naughton, Employer Representative  
Google Inc.  
345 Spear Street  
San Francisco CA 94105

Sara Kalis, Attorney  
Paul Hastings LLP  
200 Park Ave  
New York NY 10166-0005

Brian Hayes, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

Eileen Naughton, Employer Representative  
Google Inc.  
1600 Amphitheater Parkway  
Mountain View CA 94043

December 2, 2020

Date

Caroline Barker, Designated Agent of NLRB

Name

/s/ Caroline Barker

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 2, 2020

(b) (6), (b) (7)(C)

Re: Google, LLC an Alphabet Inc.  
a single employer  
Case 20-CA-252902

Dear (b) (6), (b) (7)(C)

We have docketed the first amended charge that you filed in this case.

**Investigator:** This charge is being investigated by Supervisory Attorney KATHLEEN C. SCHNEIDER; whose telephone number is (628)221-8873.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,

A handwritten signature in black ink, reading "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly legible.

---

JILL H. COFFMAN  
Regional Director

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco CA 94104

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Google LLC
Charged Party
and

CASE 20-CA-252902

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Google LLC


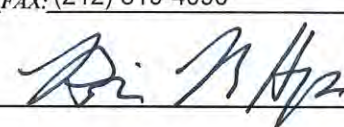
IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP	
MAILING ADDRESS: 200 Park Avenue, New York, New York 10166	
E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@paulhastings.com	
OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822	
CELL PHONE NUMBER: 952-240-4558	FAX: (212) 319-4090
SIGNATURE:  	
DATE: December 9, 2019	

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Google LLC
Charged Party
and

CASE 20-CA-252902

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Google LLC


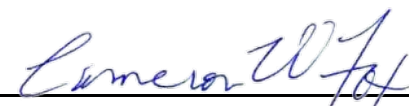
IN THE ABOVE-CAPTIONED MATTER.

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(REPRESENTATIVE INFORMATION)

NAME: J. Al Latham, Jr., and Cameron W, Fox of Paul Hastings LLP	
MAILING ADDRESS: 515 S. Flower Street, 25th Floor, Los Angeles, CA 90071	
E-MAIL ADDRESS: allatham@paulhastings.com; cameronfox@paulhastings.com	
OFFICE TELEPHONE NUMBER: (213) 683-6319; (213) 683-6301	
CELL PHONE NUMBER:	FAX: (213) 627-0705
SIGNATURE:  	
(Please sign in ink.)	
DATE: December 9, 2019	

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL COUNSEL OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.



NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single employer

and

(b) (6), (b) (7)(C)

CASE 20-CA-252902

☐ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

(b) (6), (b) (7)(C)

IN THE ABOVE-CAPTIONED MATTER.

Alphabet Inc. and Google and (b) (6), (b) (7)(C)

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☐ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

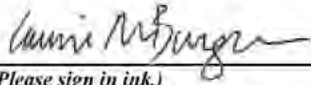
NAME: Laurie M. Burgess, Esq.

MAILING ADDRESS: Messing Adam & Jasmine, 235 Montgomery Street, #828, San Francisco, CA 94104

E-MAIL ADDRESS: laurie@majlabor.com

OFFICE TELEPHONE NUMBER: 415-266-1817

CELL PHONE NUMBER: 312-320-1718 FAX: 415-266-1128

SIGNATURE: 

DATE: (Please sign in ink) December 1, 2020

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case <b>20-CA-252957</b>	Date Filed <b>12/05/2019</b>

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

<b>1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT</b>	
a. Name of Employer Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergey Brin, President of Alphabet Inc	b. Tel. No. 415-736-0000
	c. Cell No.
	f. Fax. No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai
	g. e-mail sundar@google.com
	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
<b>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)</b>  See addendum.	
<b>3. Full name of party filing charge (if labor organization, give full name, including local name and number)</b> Communications Workers of America, AFL-CIO	
4a. Address (Street and number, city, state, and ZIP code) Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001	4b. Tel. No. 202-434-1234
	4c. Cell No.
	4d. Fax No. 202-434-1219
	4e. e-mail jabruzzo@cwa-union.org
<b>5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)</b>	
<b>6. DECLARATION</b>	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
 (Signature of representative or person making charge)	Laurie M. Burgess, Counsel (Print/type name and title or office, if any)
Messing Adam & Jasmine LLP Address 235 Montgomery St., Ste 828, San Francisco, CA 94104	Tel. No. 415-266-1817
Date Dec 5, 2019	Office, if any, Cell No.
	Fax No. 415-266-1128
	e-mail laurie@majlabor.com

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

**Addendum to NLRB CHARGE AGAINST EMPLOYER filed by Communications Workers of America, AFL-CIO, against:**

Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO of Alphabet Inc. and Google  
Larry Page, CEO of Alphabet Inc.  
Sergey Brin, President of Alphabet Inc

Google, by and through its corporate leaders, including, but not limited to Sundar Pichai, CEO of Alphabet Inc. and Google; Larry Page, CEO of Alphabet Inc.; Sergey Brin, President of Alphabet Inc., has promulgated and maintained working conditions that Google employees are required to adhere to in its Code of Conduct, which ends with the statement:

"And remember ... don't be evil, and if you see something that you think isn't right – speak up!"

Based thereon, within the past six months, Google employees across the nation have been organizing for their mutual benefit and protection in order to preserve and improve their working conditions, and (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) visibly led and participated in these efforts, including protesting Google's handling of issues, such as those concerning immigration status. In response, Google unlawfully promulgated and enforced new data classification policies, data protection guidelines, "community guidelines" and codes of conduct; initiated investigations against the four above named employee leaders based upon retroactive application of such guidelines; interrogated them; and discharged them on (b) (6), (b) (7)(C) 2019 within minutes of each other. Google engaged in all of this unlawful conduct in order to discourage and chill employees from engaging in protected concerted and union activities in violation of the National Labor Relations Act.

Google's above-referenced unlawful conduct flies in the face of its own aforementioned words in its Code of Conduct and stifles workers' ability to freely raise issues, to disagree with leadership, to organize, and to address aspects of Google's workplace interactions, product development, 'corporate citizenship,' and business practices. Its actions are the antithesis of the freedoms and transparency it publicly touts.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 6, 2019

Jennifer Abruzzo, Union Representative  
Communications Workers of America  
501 Third Street North West  
Suite 800  
Washington DC 20001-2797

Re: Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO of Alphabet Inc. and Google  
Larry Page, CEO of Alphabet Inc.  
Sergey Brin, President of Alphabet Inc.

Case 20-CA-252957

Dear Ms. Abruzzo:

The charge that you filed in this case on December 05, 2019 has been docketed as case number 20-CA-252957. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board



agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

Alphabet Inc. and Google, single and joint  
employers Sundar Pichai, CEO of Alphabet  
Inc. and Google Larry Page, CEO of  
Alphabet Inc. Sergey Brin, President of  
Alphabet Inc.  
Case 20-CA-252957

- 3 -

December 6, 2019

We can provide assistance for persons with limited English proficiency or disability.  
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco CA 94104

David A. Rosenfeld, Attorney  
Weinberg Roger and Rosenfeld  
1001 Marine Village Parkway  
Suite 200  
Alameda CA 94501

Frank Arce, Vice President  
CWA District 9  
2804 Gateway Oaks Drive  
Suite 150  
Sacramento CA 95833-4324

Ellen West, Assistant to the Vice President  
CWA District 9  
12215 Telegraph Road  
Suite 210  
Santa Fe Springs CA 90670



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
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Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 6, 2019

Sundar Pichai, CEO  
Alphabet Inc  
345 Spear Street  
San Francisco CA 94105

Re: Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO of Alphabet Inc. and Google  
Larry Page, CEO of Alphabet Inc.  
Sergey Brin, President of Alphabet Inc.

Case 20-CA-252957

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

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If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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December 6, 2019

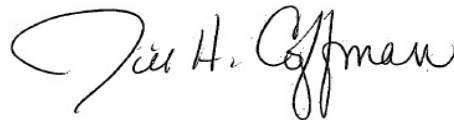
course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

20-CA-252957

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergy Bri, President of Alphabet Inc.

Charged Party

and

Communications Workers of America, AFL-CIO, District 9

Charging Party

CASE 20-CA-252957

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergy Bri, President of Alphabet Inc.

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)


NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP

MAILING ADDRESS: 200 Park Avenue, New York, New York 10166

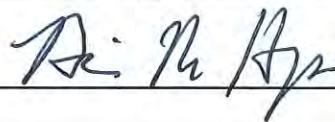
E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@paulhastings.com

OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822

CELL PHONE NUMBER: 952-240-4558 FAX: (212) 319-4090

SIGNATURE:   
(Please sign in ink.)

DATE: December 9, 2019



<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergy Bri, President of Alphabet Inc.

Charged Party

and

Communications Workers of America, AFL-CIO, District 9

Charging Party

CASE 20-CA-252957

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, CEO of Alphabet Inc. Sergy Bri, President of Alphabet Inc.

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

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(REPRESENTATIVE INFORMATION)


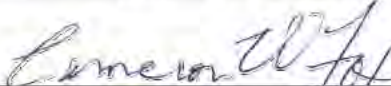
NAME: J. Al Latham, Jr., and Cameron W. Fox of Paul Hastings LLP

MAILING ADDRESS: 515 S. Flower Street, 25th Floor, Los Angeles, CA 90071

E-MAIL ADDRESS: allatham@paulhastings.com; cameronfox@paulhastings.com

OFFICE TELEPHONE NUMBER: (213) 683-6319; (213) 683-6301

CELL PHONE NUMBER: \_\_\_\_\_ FAX: (213) 627-0705

SIGNATURE:    
(Please sign in ink.)

DATE: December 9, 2019

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
FIRST AMENDED CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

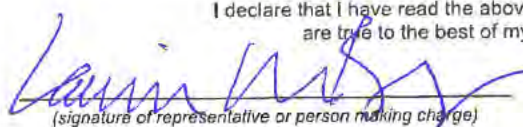
20-CA-252957

Date Filed

03/09/2020

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Alphabet Inc. and Google, single employer	b. Tel. No. 415-736-0000
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai
	g. e-mail sundar@google.com
	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (a) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See Addendum to First Amended NLRB Charge Against Employer filed by Communications Workers of America, AFL-CIO	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Communications Workers of America, AFL-CIO	
4a. Address (Street and number, city, state, and ZIP code) Jennifer Abruzzo 501 Third Street N.W., Suite 800 Washington, DC 20001	4b. Tel. No. 202-434-1234
	4c. Cell No.
	4d. Fax No. 202-434-1219
	4e. e-mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  (signature of representative or person making charge) Laurie M. Burgess, Counsel (Print/type name and title or office, if any)	
Tel. No. 415-266-1817	
Office, if any, Cell No.	
Fax No. 415-266-1128	
e-mail laurie@majlabor.com	
Messing Adam & Jasmine LLP Address 235 Montgomery Street, Suite 828, San Francisco, CA 94104 Date March 9, 2020	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

**Addendum to First Amended NLRB CHARGE AGAINST EMPLOYER filed by  
Communications Workers of America, AFL-CIO, against:**

Alphabet Inc. and Google, single employer

Google, by and through its corporate leaders, including, but not limited to Sundar Pichai, CEO of Alphabet Inc. and Google; Larry Page, CEO of Alphabet Inc.; Sergey Brin, President of Alphabet Inc., has promulgated and maintained working conditions that Google employees are required to adhere to in its Code of Conduct, which ends with the statement:

"And remember ... don't be evil, and if you see something that you think isn't right – speak up!"

Based thereon, within the past six months, Google employees across the nation have been organizing for their mutual benefit and protection in order to preserve and improve their working conditions, and (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) visibly led and participated in these efforts, including protesting Google's handling of issues, such as those concerning immigration status. In response, Google unlawfully promulgated and/or enforced new data classification policies, data protection guidelines, "community guidelines," codes of conduct, calendaring rules and other policies and practices; initiated investigations against the four above named employee leaders based upon retroactive application of such guidelines; interrogated them; and discharged them on (b) (6), (b) (7)(C) 2019 within minutes of each other. Google engaged in all of this unlawful conduct in order to discourage and chill employees from engaging in protected concerted and union activities in violation of the National Labor Relations Act.

Google's above-referenced unlawful conduct flies in the face of its own aforementioned words in its Code of Conduct and stifles workers' ability to freely raise issues, to disagree with leadership, to organize, and to address aspects of Google's workplace interactions, product development, 'corporate citizenship,' and business practices. Its actions are the antithesis of the freedoms and transparency it publicly touts.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

March 10, 2020

Sundar Pichai, CEO  
Alphabet Inc. and Google  
345 Spear Street  
San Francisco CA 94105

Re: Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO of Alphabet Inc. and Google  
Larry Page, CEO of Alphabet Inc.  
Sergey Brin, President of Alphabet Inc.

Case 20-CA-252957

Dear Mr. Pichai:

Enclosed is a copy of the first amended charge that has been filed in this case.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If the agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Presentation of Your Evidence:** As you know, we seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations in the first amended charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn

March 10, 2020

statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

Enclosure: Copy of first amended charge

cc: Sara Kalis, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

Brian Hayes, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166



**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**ALPHABET INC. AND GOOGLE, SINGLE AND  
JOINT EMPLOYERS**

Charged Party

and

**COMMUNICATIONS WORKERS OF  
AMERICA, AFL-CIO**

Charging Party

**Case 20-CA-252957**

**AFFIDAVIT OF SERVICE OF FIRST AMENDED CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, say that on March 10, 2020, I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, CEO  
Alphabet Inc. and Google  
345 Spear Street  
San Francisco CA 94105

Sara Kalis, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

Brian Hayes, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York NY 10166

March 10, 2020

Date

Caroline Barker, Designated Agent of NLRB

Name

/s/ Caroline Barker

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

March 10, 2020

Jennifer Abruzzo, Union Representative  
Communications Workers of America, AFL-CIO  
501 Third Street NW  
Suite 800  
Washington DC 20001-2797

Re: Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO of Alphabet Inc. and Google  
Larry Page, CEO of Alphabet Inc.  
Sergey Brin, President of Alphabet Inc.

Case 20-CA-252957

Dear Ms. Abruzzo:

We have docketed the first amended charge that you filed in this case.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If the agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. If you have additional evidence regarding the allegations in the first amended charge and you have not yet scheduled a date and time for the Board agent to obtain that evidence, please contact the Board agent to arrange to present that evidence. If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

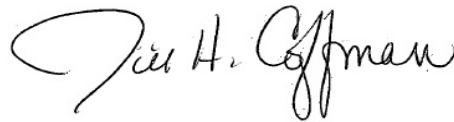
**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

March 10, 2020

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco CA 94104

David A. Rosenfeld, Attorney  
Weinberg Roger and Rosenfeld  
1001 Marine Village Parkway  
Suite 200  
Alameda CA 94501

Frank Arce, Vice President  
CWA District 9  
2804 Gateway Oaks Drive  
Suite 150  
Sacramento CA 95833-4324

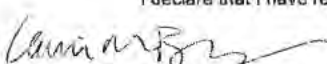
Ellen West, Assistant to the Vice President  
CWA AFL-CIO District 9  
12215 Telegraph Road  
Suite 210  
Santa Fe Springs CA 90670

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
20-CA-253105	12/09/2019

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google	
b. Tel. No. 415-736-0000	
c. Cell No.	
f. Fax. No.	
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai
g. e-mail sundar@google.com	
h. Number of workers employed	
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  See addendum.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Communications Workers of America, AFL-CIO	
4a. Address (Street and number, city, state, and ZIP code) Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001	
4b. Tel. No. 202-434-1234	
4c. Cell No.	
4d. Fax No. 202-434-1219	
4e. e-mail jabruzzo@cwu-union.org	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements best of my knowledge and belief.   (signature of representative or person making charge)  Laurie M. Burgess, Counsel (Print/type name and title or office, if any)	
Tel. No. 415-266-1817	
Office, if any, Cell No.	
Fax No. 415-266-1128	
e-mail laurie@majlabor.com	
Messing Adam & Jasmine LLP Address 235 Montgomery St., Ste 828, San Francisco, CA 94104 Date Dec 9, 2019	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

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**Addendum to NLRB CHARGE AGAINST EMPLOYER filed by Communications Workers of America, AFL-CIO, against:**

Alphabet Inc. and Google, single and joint employers  
 Sundar Pichai, CEO, Alphabet Inc. and Google  
 Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google  
 Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google

Google, by and through its corporate leaders, including, but not limited to Sundar Pichai, CEO of Alphabet Inc. and Google, Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google, and Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google, has promulgated and maintained working conditions that Google employees are required to adhere to in its Code of Conduct, which ends with the statement:

"And remember ... don't be evil, and if you see something that you think isn't right – speak up!"

Based thereon, within the past six months, Google employees across the nation have been organizing for their mutual benefit and protection in order to preserve and improve their working conditions. (b) (6), (b) (7)(C) engaged in protected concerted activities, including, but not limited to, helping Google employees learn about their rights under the NLRA pursuant to the settlement agreement that Google entered into with the NLRB. In response to these efforts, Google placed (b) (6), (b) (7)(C) on administrative leave and unlawfully interrogated (b) (6), (b) (7)(C) on three successive occasions regarding activities encompassed within (b) (6), (b) (7)(C) job responsibilities, including helping Google employees access the NLRB's Notice to Employees, which, as part of the aforementioned settlement, advised employees of their rights under the National Labor Relations Act. Google further unlawfully promulgated and enforced new data classification policies, data protection guidelines, "Community Guidelines" and codes of conduct designed to discourage and chill employees from engaging in protected concerted and union activities in violation of the National Labor Relations Act.

Google's above-referenced unlawful conduct directly contradicts its representations in the Code of Conduct and the image it presents to its employees and the public, and stifles workers' ability to freely raise issues, to disagree with leadership, to organize, and to address aspects of Google's workplace interactions, product development, 'corporate citizenship,' and business practices. Its actions are the antithesis of the freedoms and transparency it publicly touts.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 10, 2019

Sundar Pichai, Employer Representative  
Alphabet Inc. and Google  
345 Spear Street  
San Francisco CA 94105

Re: Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO of Alphabet Inc. and  
Google Larry Page, Board Member and  
Co-Founder, Alphabet Inc. and Google Sergey Brin,  
Board Member and Co-Founder, Alphabet Inc. and  
Google

Case 20-CA-253105

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your

representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a

December 10, 2019

written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlrb.gov](http://www.nlrb.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire



**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

20-CA-253105

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months**? If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**ALPHABET INC. AND GOOGLE, A SINGLE  
AND JOINT EMPLOYERS SUNDAR PICHAI,  
CEO OF ALPHABET INC. AND GOOGLE  
LARRY PAGE, BOARD MEMBER AND CO-  
FOUNDER, ALPHABET INC. AND GOOGLE  
SERGEY BRIN, BOARD MEMBER AND CO-  
FOUNDER, ALPHABET INC. AND GOOGLE**

**Case 20-CA-253105**

Charged Party

and

**COMMUNICATION WORKERS OF AMERICA,  
AFL-CIO**

Charging Party

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 10, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, Employer Representative  
Alphabet Inc. and Google  
345 Spear Street  
San Francisco CA 94105

December 10, 2019

Date

Caroline Barker, Designated Agent of NLRB

Name

/s/ Caroline Barker

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



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December 10, 2019

Jennifer Abruzzo, Union Representative  
Communication Workers of America AFL-CIO  
501 Third Street North West  
Suite 800  
Washington DC 20001-2797

Re: Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO of Alphabet Inc. and  
Google Larry Page, Board Member and  
Co-Founder, Alphabet Inc. and Google Sergey Brin,  
Board Member and Co-Founder, Alphabet Inc. and  
Google

Case 20-CA-253105

Dear Ms. Abruzzo:

The charge that you filed in this case on December 09, 2019 has been docketed as case number 20-CA-253105. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present



your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.



Alphabet Inc. and Google, a single and joint - 3 -  
employers Sundar Pichai, CEO of Alphabet  
Inc. and Google Larry Page, Board Member  
and Co-Founder, Alphabet Inc. and Google  
Sergey Brin, Board Member and Co-  
Founder, Alphabet Inc. and Google  
Case 20-CA-253105

December 10, 2019

We can provide assistance for persons with limited English proficiency or disability.  
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco CA 94104

Frank Arce, Vice President  
CWA District 9  
2804 Gateway Oaks Drive  
Suite 150  
Sacramento CA 95833-4324

David A. Rosenfeld, Attorney  
Weinberg Roger and Rosenfeld  
1001 Marine Village Parkway  
Suite 200  
Alameda CA 94501

Ellen West, Assistant to the Vice  
President  
CWA District 9  
12215 Telegraph Road  
Suite 210  
Santa Fe Springs CA 90670

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO of Alphabet Inc. and Google  
Larry Page, Board Member and Co-Founder, Alphabet Inc.  
and Google; Sergey Brin, Board Member and Co-Founder,  
Alphabet Inc. and Google  
and  
Communications Workers of America, AFL-CIO

CASE 20-CA-253105

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Alphabet Inc. and Google, single and joint employers; Sundar Pichai, CEO of Alphabet Inc. and Google  
Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google; Sergey Brin, Board Member and  
Co-Founder, Alphabet Inc. and Google  
IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP

MAILING ADDRESS: 200 Park Avenue, New York, New York 10166

E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@paulhastings.com

OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822

CELL PHONE NUMBER: (952) 240-4558

FAX: (212) 319-4090

SIGNATURE: 

DATE: 12/18/19  
(Please sign in ink.)

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case <b>20-CA-253249</b>	Date Filed <b>12/11/2019</b>

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

<b>1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT</b>	
a. Name of Employer Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google Larry Page, Board Member and Co-Founder, Alphabet Inc. and Google Sergey Brin, Board Member and Co-Founder, Alphabet Inc. and Google	b. Tel. No. 415-736-0000
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai
	g. e-mail sundar@google.com
	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
<b>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)</b> In the past six months (b) (6), (b) (7)(C) has been engaged in concerted protected activity including, but not limited to, advising co-workers of their rights and providing aid and support to co-workers who were unlawfully interrogated by the Employer. Specifically, on or about November 13th, (b) (6), (b) (7)(C) was directed to attend an interrogation. (b) (6), (b) (7)(C) attended the interrogation to provide aid and support for (b) (6), (b) (7)(C) co-worker. Prior to the interrogation, (b) (6), (b) (7)(C) was directed to give (b) (6), (b) (7)(C) name to a Human Resources employee. The Employer's interrogation of (b) (6), (b) (7)(C) and its demand for (b) (6), (b) (7)(C) name was intended to coerce and intimidate (b) (6), (b) (7)(C) and chill (b) (6), (b) (7)(C) participation in continuing to participate in organizing activities.	
<b>3. Full name of party filing charge (if labor organization, give full name, including local name and number)</b> Communications Workers of America, AFL-CIO	
4a. Address (Street and number, city, state, and ZIP code) Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001	4b. Tel. No. 202-434-1234
	4c. Cell No.
	4d. Fax No. 202-434-1219
	4e. e-mail jabruzzo@cwu-union.org
<b>5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)</b>	
<b>6. DECLARATION</b> I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  (signature of representative or person making charge) Laurie M. Burgess, Counsel (Print/type name and title or office, if any)	
Tel. No. 415-266-1817	
Office, if any, Cell No.	
Fax No. 415-266-1128	
e-mail laurie@majlabor.com	
Address <u>Messing Adam &amp; Jasmine LLP</u> <u>235 Montgomery St., Ste 828, San Francisco, CA 94104</u> Date <u>Dec 11, 2019</u>	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 12, 2019

Sundar Pichai, Employer Representative  
Alphabet Inc. and Google  
345 Spear Street  
San Francisco CA 94105

Re: Alphabet, Inc. and Google  
Single and joint employers  
Case 20-CA-253249

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

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**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board



December 12, 2019

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

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**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

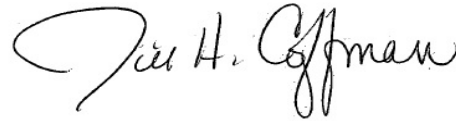
December 12, 2019

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly distinguishable.

---

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

20-CA-253249

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months**? If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**ALPHABET, INC. AND GOOGLE, SINGLE AND  
JOINT EMPLOYERS**

Charged Party

and

**COMMUNICATION WORKERS OF AMERICA  
AFL-CIO, CLC**

Charging Party

**Case 20-CA-253249**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 12, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, Employer Representative  
Alphabet Inc. and Google, single and joint  
employers Sundar Pichai, CEO of Alphabet  
Inc. and Google Larry Page, CEO of Alphabet  
Inc. Sergey Brin, President of Alphabet Inc.  
345 Spear Street  
San Francisco CA 94105

December 12, 2019

Date

Enter NAME, Designated Agent of NLRB

Name

Signature





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 12, 2019

Jennifer Abruzzo, Union Representative  
Communication Workers of America AFL CIO CLC  
501 Third Street North West  
Suite 800  
Washington DC 20001

Re: Alphabet, Inc. and Google  
Single and joint employers  
Case 20-CA-253249

Dear Ms. Abruzzo:

The charge that you filed in this case on December 11, 2019 has been docketed as case number 20-CA-253249. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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December 12, 2019

We can provide assistance for persons with limited English proficiency or disability.  
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

Copy of Charge:

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco CA 94104

David A. Rosenfeld, Attorney  
Weinberg Roger and Rosenfeld  
1001 Marine Village Parkway  
Suite 200  
Alameda CA 94501

Frank Arce, Vice President  
CWA District 9  
2804 Gateway Oaks Drive  
Suite 150  
Sacramento CA 95833-4324

Ellen West, Assistant to the Vice President  
CWA District 9  
12215 Telegraph Road  
Suite 210  
Santa Fe Springs CA 90670

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers;  
Sundar Pichai, CEO of Alphabet Inc. and Google; Larry  
Page, Board Member and Co-Founder, Alphabet Inc. &  
Google; Sergey Brin, Board Member and Co-Founder,  
Alphabet Inc. and Google. ~~Charged Party~~  
and  
Communications Workers of America, AFL-CIO

CASE 20-CA-253249

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Alphabet Inc. and Google, single and joint employers; Sundar Pichai, CEO of Alphabet Inc. and Google;  
Larry Page, Board Member and Co-Founder, Alphabet Inc. & Google; Sergey Brin, Board Member and  
~~Co-Founder, Alphabet Inc. and Google~~  
IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP

MAILING ADDRESS: 200 Park Avenue, New York, New York 10166

E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@paulhastings.com

OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822

CELL PHONE NUMBER: (952) 240-4558

FAX: (212) 319-4090

SIGNATURE:   
(Please sign in ink.)

DATE: 12/18/11

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.



UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 20-CA-253464	Date Filed 12/16/2019

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer  Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google	b. Tel. No. 415-736-0000
	c. Cell No.
	f. Fax. No.
d. Address (Street, city, state, and ZIP code)  345 Spear Street San Francisco, CA 94105	e. Employer Representative  Sundar Pichai
	g. e-mail sundar@google.com
	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)  See Addendum.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Communications Workers of America, AFL-CIO	
4a. Address (Street and number, city, state, and ZIP code)  Jennifer Abruzzo 501 Third Street, N.W., Suite 800 Washington, DC 20001	4b. Tel. No. 202-434-1234
	4c. Cell No.
	4d. Fax No. 202-434-1219
	4e. e-mail jabruzzo@cwa-union.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.   Laurie M. Burgess, Counsel (signature of representative or person making charge) (Print/type name and title or office, if any)	
Tel. No. 415-266-1817	
Office, if any, Cell No.	
Fax No. 415-266-1128	
e-mail laurie@majlabor.com	
Address <u>Messing Adam &amp; Jasmine LLP</u> 235 Montgomery St., Ste 828, San Francisco, CA 94104 Date <u>Dec 16, 2019</u>	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

**Addendum to NLRB CHARGE AGAINST EMPLOYER filed by Communications Workers of America, AFL-CIO, against:**

Alphabet Inc. and Google, single and joint employers  
Sundar Pichai, CEO, Alphabet Inc. and Google

**Basis of the Charge:**

On or about (b) (6), (b) (7)(C), Google unlawfully terminated the employment of (b) (6), (b) (7)(C), (b) (6), (b) (7)(C) with outstanding evaluations, in response to (b) (6), (b) (7)(C) concerted and protected activity. That activity included, but was not limited to, creating a “pop-up” alerting Google employees seeking to review the website of an anti-union consulting firm recently retained by Google had recently retained of their rights to engage in protected concerted activity. Specifically, the “pop up” directed employees to Google’s Notice of Posting, required by the NLRB as a settlement in response to prior NLRB charges filed against Google. (b) (6), (b) (7)(C) job description and responsibilities included creation of such notifications and warning “pop ups.”

Google’s interrogation of (b) (6), (b) (7)(C) regarding (b) (6), (b) (7)(C) lawful actions and termination of (b) (6), (b) (7)(C) employment based upon those lawful actions, was done to attempt to quell (b) (6), (b) (7)(C) and other employees from asserting their right to engage in concerted protected activities. Google’s actions are the antithesis of the freedoms and transparency it publicly touts and violates (b) (6), (b) (7)(C) and other Google employees’ rights to engage in concerted activity protected under the National Labor Relations Act.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 17, 2019

Sundar Pichai, CEO  
Alphabet Inc. and Google, single and joint employers  
345 Spear Street  
San Francisco, CA 94105

Re: Alphabet Inc. and Google, single and joint  
employers  
Case 20-CA-253464

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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December 17, 2019

about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

20-CA-253464

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**ALPHABET INC. AND GOOGLE, SINGLE AND  
JOINT EMPLOYERS**

Charged Party

and

**COMMUNICATION WORKERS OF AMERICA,  
AFL-CIO**

Charging Party

**Case 20-CA-253464**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 17, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, CEO  
Alphabet Inc. and Google, single and joint  
employers  
345 Spear Street  
San Francisco, CA 94105

December 17, 2019

Date

Susie Louie, Designated Agent of NLRB

Name

/s/ Susie Louie

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 17, 2019

Jennifer Abruzzo  
Communication Workers of America, AFL-CIO  
501 Third Street NW Ste 800  
Washington, DC 20001-2797

Re: Alphabet Inc. and Google, single and joint  
employers  
Case 20-CA-253464

Dear Ms. Abruzzo:

The charge that you filed in this case on December 16, 2019 has been docketed as case number 20-CA-253464. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.



**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

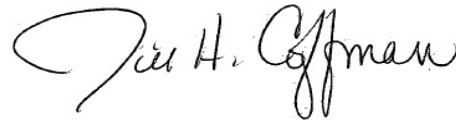
We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

**Qualifying for Backpay:** We are just beginning to investigate your charge and no decision has been made regarding the merits of your case. However, it is important that employees who might be entitled to backpay because of loss of employment understand their obligation to look for work in order to qualify for backpay if your case has merit. Accordingly, we urge you to promptly provide the Board agent with the names and addresses of all employees who might be entitled to backpay as a result of the charge you filed.

If backpay is due to an employee, the Board requires that the employee offset the backpay by promptly beginning to look for another job in the same or similar line of work. The Board has held that a reasonably diligent employee should begin searching for interim work within 2 weeks after the employee's termination or layoff or a refusal to hire the employee. If an employee cannot establish that he or she actively tried to mitigate his or her losses, the amount of money owed to the employee might be reduced.

Employees who might be owed backpay should keep careful records of when and where they have sought employment and of job search expenses such as mileage, parking, and copying resumes. Specifically, they should keep a record of each time they attempt to find work, including the date, name of the company, name of person with whom they spoke, the position sought, and the response received.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly distinguishable.

JILL H. COFFMAN  
Regional Director

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street Suite 828  
San Francisco, CA 94104

Copy of charge only sent to:

Frank Arce, Vice President  
CWA District 9  
2804 Gateway Oaks Drive Suite 150  
Sacramento, CA 95833-4324

David A. Rosenfeld, Attorney  
Weinberg, Roger & Rosenfeld  
1001 Marina Village Parkway, Suite 200  
Alameda, CA 94501

Ellen West, Assistant to the Vice President  
Communication Workers of America,  
District 9  
12215 Telegraph Road, Suite 210  
Santa Fe Springs, CA 90670

NATIONAL LABOR RELATIONS BOARD

NOTICE OF APPEARANCE

Alphabet Inc. and Google, single and joint employers;  
Sundar Pichai, CEO of Alphabet Inc. and Google

Charged Party

and

Communications Workers of America, AFL-CIO

CASE 20-CA-253464

☒ REGIONAL DIRECTOR

☐ EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

☐ GENERAL COUNSEL  
NATIONAL LABOR RELATIONS BOARD  
Washington, DC 20570

THE UNDERSIGNED HEREBY ENTERS APPEARANCE AS REPRESENTATIVE OF \_\_\_\_\_

Alphabet Inc. and Google, single and joint employers; Sundar Pichai, CEO of Alphabet Inc. and Google

IN THE ABOVE-CAPTIONED MATTER.

CHECK THE APPROPRIATE BOX(ES) BELOW:

☒ REPRESENTATIVE IS AN ATTORNEY

☒ IF REPRESENTATIVE IS AN ATTORNEY, IN ORDER TO ENSURE THAT THE PARTY MAY RECEIVE COPIES OF CERTAIN DOCUMENTS OR CORRESPONDENCE FROM THE AGENCY IN ADDITION TO THOSE DESCRIBED BELOW, THIS BOX MUST BE CHECKED. IF THIS BOX IS NOT CHECKED, THE PARTY WILL RECEIVE ONLY COPIES OF CERTAIN DOCUMENTS SUCH AS CHARGES, PETITIONS AND FORMAL DOCUMENTS AS DESCRIBED IN SEC. 11842.3 OF THE CASEHANDLING MANUAL.

(REPRESENTATIVE INFORMATION)

NAME: Sara Kalis and Brian Hayes of Paul Hastings LLP

MAILING ADDRESS: 200 Park Avenue, New York, New York 10166

E-MAIL ADDRESS: sarakalis@paulhastings.com; brianhayes@paulhastings.com

OFFICE TELEPHONE NUMBER: (212) 318-6021; (212) 318-6822

CELL PHONE NUMBER: (952) 240-4558 FAX: (212) 319-4090

SIGNATURE: 

DATE: 12/18/19

<sup>1</sup> IF CASE IS PENDING IN WASHINGTON AND NOTICE OF APPEARANCE IS SENT TO THE GENERAL COUNSEL OR THE EXECUTIVE SECRETARY, A COPY SHOULD BE SENT TO THE REGIONAL DIRECTOR OF THE REGION IN WHICH THE CASE WAS FILED SO THAT THOSE RECORDS WILL REFLECT THE APPEARANCE.

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

20-CA-253655

Date Filed

12/19/2019

## INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

## 1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google		b. Tel. No. 415-736-0000
		c. Cell No.
		f. Fax No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai	g. e-mail sundar@google.com
		h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products	

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

## 2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

In the past 6 months, (b) (6), (b) (7)(C) has engaged in concerted protected activity including, but not limited to (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) concerted protected activity, the Employer has failed and refused to award (b) (6), (b) (7)(C) a promotion, notwithstanding (b) (6), (b) (7)(C) excellent work record, and instead awarded (b) (6), (b) (7)(C) a lower performance rating during a time frame that (b) (6), (b) (7)(C) work performance was particularly strong.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)  
Communications Workers of America, AFL-CIO

## 4a. Address (Street and number, city, state, and ZIP code)

(b) (6), (b) (7)(C)

## 4b. Tel. No.

(b) (6), (b) (7)(C)

## 4c. Cell No.

## 4d. Fax No.

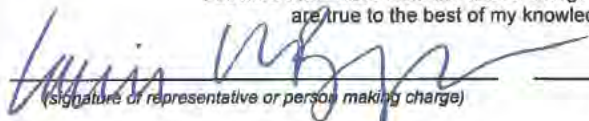
## 4e. e-mail

(b) (6), (b) (7)(C)

## 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

## 6. DECLARATION

I declare that I have read the above charge and that the statements  
are true to the best of my knowledge and belief.



(signature of representative or person making charge)

Laurie Burgess, Counsel

(Print/type name and title or office, if any)

## Tel. No.

415-266-1817

## Office, if any, Cell No.

## Fax No.

415-266-1128

## e-mail

laurie@majlabor.com

Messing Adam &amp; Jasmine LLP

Address 235 Montgomery St., Ste 828, San Francisco, CA 94104 Date Dec 19, 2019

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 20, 2019

Sundar Pichai, CEO  
Alphabet Inc. and Google  
345 Spear Street  
San Francisco CA 94105

Re: Alphabet Inc. and Google  
single and joint employers  
Case 20-CA-253655

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

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**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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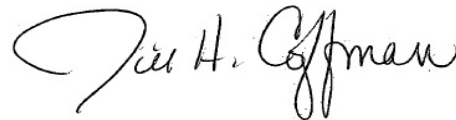
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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, reading "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly legible.

---

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

20-CA-253655

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months?** If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

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**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**GOOGLE**

Charged Party

and

**COMMUNICATION WORKERS OF AMERICA,  
AFL-CIO**

Charging Party

**Case 20-CA-253655**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 20, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, CEO  
Alphabet Inc. and Google, single and joint  
employers  
345 Spear Street  
San Francisco CA 94105

December 20, 2019

Date

**Enter NAME**, Designated Agent of NLRB

Name

Signature



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
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Download  
NLRB  
Mobile App

December 20, 2019

(b) (6), (b) (7)(C)

Communication Workers of America

(b) (6), (b) (7)(C)

Re: Alphabet Inc. and Google  
single and joint employers  
Case 20-CA-253655

Dear (b) (6), (b) (7)(C):

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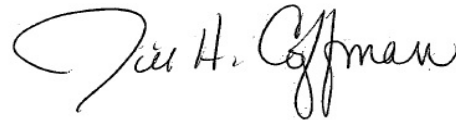
**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

If the Agency does not issue a formal complaint in this matter, parties will be notified of the Regional Director's decision by email. Please ensure that the agent handling your case has your current email address.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, [www.nlr.gov](http://www.nlr.gov) or from an NLRB office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability.  
Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco CA 94104

David A. Rosenfeld, Attorney  
Weinberg Roger and Rosenfeld  
1001 Marina Village Parkway  
Suite 200  
Alameda CA 94501

Frank Arce, Vice President  
CWA District 9  
2804 Gateway Oaks Drive  
Suite 150  
Sacramento CA 95833-4324

Ellen West, Assistant to the Vice President  
CWA District 9  
12215 Telegraph Road  
Suite 210  
Santa Fe Springs CA 90670





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156

December 31, 2019

Brian Hayes  
Paul Hastings LLP  
200 Park Avenue  
New York, NY, 10166

Sara Kalis  
Paul Hastings LLP  
200 Park Avenue  
New York, NY, 10166

Re: Alphabet Inc. and Google, single and joint  
employers  
Case 20-CA-253655

Dear Ms. Kalis and Mr. Hayes:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

JILL H. COFFMAN  
Regional Director

cc: Sundar Pichai, CEO  
Alphabet Inc. and Google  
345 Spear Street  
San Francisco, CA 94105

Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco, CA 94104

(b) (6), (b) (7)(C)  
Communication Workers of America,  
AFL-CIO  
(b) (6), (b) (7)(C)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case <b>20-CA-253982</b>	Date Filed <b>12/30/2019</b>

**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

<b>1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT</b>	
a. Name of Employer Alphabet Inc. and Google, single and joint employers Sundar Pichai, CEO of Alphabet Inc. and Google	b. Tel. No. 415-736-0000
	c. Cell No.
	f. Fax. No.
d. Address (Street, city, state, and ZIP code) 345 Spear Street San Francisco, CA 94105	e. Employer Representative Sundar Pichai
	g. e-mail sundar@google.com
	h. Number of workers employed
i. Type of Establishment (factory, mine, wholesaler, etc.) Technology Company	j. Identify principal product or service Internet related services and products
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 8(a)(3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) In the past 6 months, (b) (6), (b) (7)(C) has engaged in concerted protected activity including, but not limited to, (b) (6), (b) (7)(C) [REDACTED] [REDACTED] [REDACTED]. In retaliation for (b) (6), concerted protected activity, the Employer has failed and refused to award (b) (6), (b) (7) a promotion, notwithstanding (b) (6) excellent work record, and instead awarded (b) (6), (b) (7) a lower performance rating during a time frame that (b) (6), work performance was particularly strong. Further, in the past 6 months the Employer has engaged in unlawful surveillance of (b) (6), (b) (7) as (b) (6) participated in the above activities.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)	
4a. Address (Street and number, city, state, and ZIP code) (b) (6), (b) (7)(C) [REDACTED]	4b. Tel. No. (b) (6), (b) (7)(C)
	4c. Cell No.
	4d. Fax No.
	4e. e-mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)	
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  (signature of representative or person making charge) Laurie Burgess, Counsel (Print/type name and title or office, if any) Messing Adam & Jasmine LLP Address 235 Montgomery St., Ste 828, San Francisco, CA 94104 Date Dec 30, 2019	
Tel. No. 415-266-1817	
Office, if any, Cell No.	
Fax No. 415-266-1128	
e-mail laurie@majlabor.com	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)  
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlrb.gov](http://www.nlrb.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 31, 2019

(b) (6), (b) (7)(C)  
(b) (6), (b) (7)(C)

Re: Alphabet Inc. and Google, single and joint employers  
Case 20-CA-253982

Dear (b) (6), (b) (7)(C)

The charge that you filed in this case on December 30, 2019 has been docketed as case number 20-CA-253982. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlrb.gov](http://www.nlrb.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not

December 31, 2019

limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

**Prohibition on Recording Affidavit Interviews:** It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

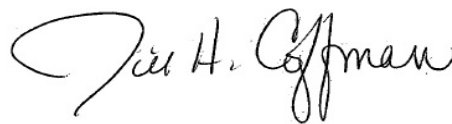
**Procedures:** Pursuant to Section 102.5 of the Board's Rules and Regulations, parties must submit all documentary evidence, including statements of position, exhibits, sworn statements, and/or other evidence, by electronically submitting (E-Filing) them through the Agency's web site ([www.nlr.gov](http://www.nlr.gov)). You must e-file all documents electronically or provide a written statement explaining why electronic submission is not possible or feasible. Failure to comply with Section 102.5 will result in rejection of your submission. The Region will make its determination on the merits solely based on the evidence properly submitted. All evidence submitted electronically should be in the form in which it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format). If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,



---

JILL H. COFFMAN  
Regional Director

cc: Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street  
Suite 828  
San Francisco CA 94104





UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

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Telephone: (415)356-5130  
Fax: (415)356-5156



Download  
NLRB  
Mobile App

December 31, 2019

Sundar Pichai, CEO  
Alphabet Inc. and Google  
345 Spear Street  
San Francisco, CA 94105

Re: Alphabet Inc. and Google, single and joint employers  
Case 20-CA-253982

Dear Mr. Pichai:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

**Investigator:** This charge is being investigated by Field Attorney TRACY CLARK whose telephone number is (628)221-8841. If this Board agent is not available, you may contact Supervisory Attorney KATHLEEN C. SCHNEIDER whose telephone number is (628)221-8873.

**Right to Representation:** You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, [www.nlr.gov](http://www.nlr.gov), or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

**Presentation of Your Evidence:** We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board

agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

**Preservation of all Potential Evidence:** Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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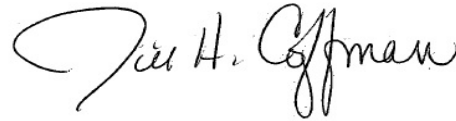
December 31, 2019

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly distinguishable.

---

JILL H. COFFMAN  
Regional Director

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

**QUESTIONNAIRE ON COMMERCE INFORMATION**

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

CASE NUMBER

20-CA-253982

**1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)****2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**A. STATE OF INCORPORATION  
OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

**4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS****5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

**9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates )**

YES NO

A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.  
\$B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.  
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount.  
\$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$H. **Gross Revenues** from all sales or performance of services (Check the largest amount)  
☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.I. Did you **begin operations within the last 12 months**? If yes, specify date: \_\_\_\_\_**10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?**☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

**12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE**

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.



**UNITED STATES OF AMERICA**  
**BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**ALPHABET INC. AND GOOGLE, SINGLE AND  
JOINT EMPLOYERS**

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

**Case 20-CA-253982**

**AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, state under oath that on December 31, 2019, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

Sundar Pichai, CEO  
Alphabet Inc. and Google, single and joint  
employers  
345 Spear Street  
San Francisco, CA 94105

December 31, 2019

Date

Caroline Barker, Designated Agent of NLRB

Name

/s/ Caroline Barker

Signature

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**

GOOGLE, LLC and ALPHABET INC., a single  
employer

and

**(b) (6), (b) (7)(C)**, an Individual

**Cases 20-CA-252802**

and

**(b) (6), (b) (7)(C)**, an Individual

**20-CA-252902**

and

COMMUNICATIONS WORKERS OF AMERICA,  
AFL-CIO

**20-CA-252957  
20-CA-253105  
20-CA-253464**

and

**(b) (6), (b) (7)(C)**, an Individual

**20-CA-253982**

**ORDER CONSOLIDATING,  
CONSOLIDATED COMPLAINT AND NOTICE OF HEARING**

Pursuant to Section 102.33 of the Rules and Regulations of the National Labor Relations Board (Board) and to avoid unnecessary costs or delay, IT IS ORDERED THAT Case 20-CA-252802 filed by **(b) (6), (b) (7)(C)**, Case 20-CA-252902 filed by **(b) (6), (b) (7)(C)**, Cases 20-CA-252957, 20-CA-253105, and 20-CA-253464 filed by Communications Workers of America, AFL-CIO (Union), and Case 20-CA-253982 filed by **(b) (6), (b) (7)(C)** are consolidated.

This Order Consolidating Cases, Consolidated Complaint and Notice of Hearing, which is based on these charges, is issued pursuant to Section 10(b) of the National Labor Relations Act, 29 U.S.C. § 151 et seq., and Section 102.15 of the Board's Rules and Regulations and alleges that

Google, LLC (Google) and Alphabet Inc. (Alphabet), a single employer (Respondent), have violated the Act as described below.

1. (a) The charge in Case 20-CA-252802 was filed by (b) (6), (b) (7)(C) against Google, LLC on December 3, 2019, and a copy was served on Google by U.S. mail on December 4, 2019.

(b) A first-amended charge in Case 20-CA-252802 was filed by (b) (6), (b) (7)(C) against Google, LLC on December 1, 2020, and a copy was served on Google by U.S. mail on December 2, 2020.

(c) The charge in Case 20-CA-252902 was filed by (b) (6), (b) (7)(C) against Google, LLC on December 5, 2019, and a copy was served on Google by U.S. mail on December 6, 2019.

(d) A first-amended charge in Case 20-CA-252902 was filed by (b) (6), (b) (7)(C) against Google, LLC on December 1, 2020, and a copy was served on Google by U.S. mail on December 2, 2020.

(e) The charge in Case 20-CA-252957 was filed by the Union on December 5, 2019, and a copy was served on Respondent by U.S. mail on December 6, 2019.

(f) A first-amended charge was filed in Case 20-CA-252957 by the Union on March 9, 2020, and a copy was served on Respondent by U.S. mail on March 10, 2020.

(g) The charge in Case 20-CA-253105 was filed by the Union on December 9, 2019, and a copy was served on Respondent by U.S. mail on December 10, 2019.

(h) The charge in Case 20-CA-253464 was filed by the Union on December 16, 2019, and a copy was served on Respondent by U.S. mail on December 17, 2019.

(i) The charge in Case 20-CA-253982 was filed by (b) (6), (b) (7)(C) on December 30, 2019, and a copy was served on Respondent by U.S. mail on December 31, 2019.

2. (a) At all material times, Google, a California limited liability company with offices and places of business in Menlo Park, California, New York, New York, and elsewhere is a technology company specializing in a search-engine and other internet-related services and products.

(b) During the twelve-month period ending October 31, 2020, Google, in conducting its business operations described above in subparagraph 2(a), derived gross revenues in excess of \$500,000.

(c) During the period of time described above in subparagraph 2(b), Google, in conducting its business operations described above in subparagraph 2(a), purchased and received at its Menlo Park, California, office and place of business, goods valued in excess of \$5,000 directly from points outside the State of California.

3. (a) At all material times, Alphabet, a California corporation with its headquarter office and place of business located in Mountain View, California, is a technology conglomerate and parent holding company of Google, Waymo, and other subsidiaries.

(b) During the twelve-month period ending October 31, 2020, Alphabet, in conducting its business operations described above in subparagraph 3(a), derived gross revenues in excess of \$500,000.

(c) During the period of time described above in subparagraph 3(b), Alphabet, in conducting its business operations described above in subparagraph 3(a), purchased and received at its Mountain View, California, office and place of business, goods valued in excess of \$5,000 directly from points outside the State of California

4. (a) At all material times, Google and Alphabet have been affiliated business enterprises with common officers, ownership, directors, management, and supervision; have



formulated and administered a common labor policy; have shared common premises and facilities; have provided services for and made sales to each other; have interchanged personnel with each other; have interrelated operations with common insurance and purchasing and sales; and have held themselves out to the public as a single-integrated business enterprise.

(b) Based on its operations described above in subparagraph 4(a), Google and Alphabet constitute a single-integrated business enterprise and a single employer within the meaning of the Act.

5. At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6), and (7) of the Act.

6. At all material times, the following individuals held the positions set forth opposite their respective names and have been agents of the Respondent within the meaning of Section 2(13) of the Act:

(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)
(b) (6), (b) (7)(C)	-	(b) (6), (b) (7)(C)

7. About September 3, 2019, and at various times thereafter, Respondent, by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), virtually surveilled employees protected concerted activities by, on numerous occasions, viewing an employee slide production in support of the HCL union drive. (Case 20-CA-253982)

8. About November 8, 2019, Respondent, by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), interrogated its employees about their protected concerted activities by asking them about accessing MemeGen Takedown Documents. (Case 20-CA-252957)

9. About November 13, 2019, Respondent, by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C), in a Global Investigations meeting in Respondent's San Francisco facility, interrogated its employees about their protected concerted activities by asking them about their access of employees' calendars and MemeGen Takedown Documents. (Cases 20-CA-252957, 20-CA-253105, 20-CA-253464)

10. About December 18, 2019, Respondent, by an unnamed agent, in a meeting which included (b) (6), (b) (7)(C), (b) (6), (b) (7)(C), and (b) (6), (b) (7)(C), threatened employees with unspecified reprisals by requiring employees to raise workplace concerns through official channels including Code of Conduct alias or go/my-concerns. (Case 20-CA-252802)

11. (a) At all material times, Respondent has maintained Data Classification Policies pertaining to accessing Need-to-Know documents.

(b) Since about November 2019, Respondent, by (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) enforced the rule described above in subparagraph 11(a) selectively and disparately by applying it only against employees who engaged in protected, concerted activities. (Case 20-CA-252957)

12. (a) About November 2019, Respondent, by email, promulgated and has since then maintained a Calendar Access rule prohibiting employees from accessing other employees' calendars without a business purpose.

(b) Respondent promulgated and maintained the rule described above in subparagraph 12(a) to discourage its employees from forming, joining, assisting a union or engaging in other protected, concerted activities. (Case 20-CA-252957)

13. (a) About October 2019, Respondent promulgated and has since then maintained a Calendar Event rule prohibiting employees from creating calendar events with more than 100 invitees or using more than 10 rooms without a business purpose.

(b) Respondent promulgated and maintained the rule described above in subparagraph 13(a) to discourage its employees from forming, joining, assisting a union or engaging in other protected, concerted activities. (Case 20-CA-252957)

14. (a) About October 2019, employees (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) engaged in concerted activities with other employees for the purposes of mutual aid and protection by posting workplace concerns on MemeGen.

(b) About early November 2019, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) accessed employee accessible calendars and documents regarding the MemeGen Takedown Process.

(c) About (b) (6), (b) (7)(C) 2019, Respondent placed (b) (6), (b) (7)(C) on administrative leave for accessing calendars and documents regarding the MemeGen Takedown Process.

(d) About (b) (6), (b) (7)(C) 2019, Respondent placed (b) (6), (b) (7)(C) on administrative leave for accessing documents regarding the MemeGen Takedown Process.

(e) About (b) (6), (b) (7)(C), 2019, Respondent terminated the employment of (b) (6), (b) (7)(C).

(f) Respondent engaged in the conduct described above in subparagraphs 14(c), (d), and (e) because (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) engaged in the conduct described above in subparagraphs 14(a) and (b) and to discourage employees from engaging in these or other concerted activities. (Case 20-CA-252957)

15. (a) About November 23, 2019, employee (b) (6), (b) (7)(C) began writing code for a pop-up featuring an NLRB Notice from Case 32-CA-176462 that would automatically appear when an employee visited Respondent's Community Guidelines and other web pages.

(b) About November 24, 2019, employee (b) (6), (b) (7)(C) performed a readability review for the code referenced above in subparagraph 15(a).

(c) About November 25, 2019, employee (b) (6), (b) (7)(C) performed a readability review for the code referenced above in subparagraph 15(a).

(d) About (b) (6), (b) (7)(C) 2019, Respondent placed (b) (6), (b) (7)(C) on Administrative Leave. (Cases 20-CA-253105 and 20-CA-253464)

(e) About November 26, 2019, Respondent turned off employee (b) (6), (b) (7)(C) cell phone service. (Case 20-CA-252902)

(f) About (b) (6), (b) (7)(C) 2019, Respondent placed employees (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) on administrative leave. (Cases 20-CA-252802 and 20-CA-252902)

(g) About (b) (6), (b) (7)(C), 2019, Respondent issued employee (b) (6), (b) (7)(C) a final written warning. (Case 20-CA-252902)

(h) About (b) (6), (b) (7)(C), 2018, Respondent counseled (b) (6), (b) (7)(C) and placed (b) (6), (b) (7)(C) on a 6-month readability review. (Case 20-CA-252802)

(i) About (b) (6), (b) (7)(C), 2019, Respondent terminated the employment of (b) (6), (b) (7)(C). (Case 20-CA-253464)



(j) Respondent engaged in the conduct described above in subparagraphs 15(e) through 15(h) because (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) engaged in the conduct described above in subparagraphs 15(b) and (c) and to discourage employees from engaging in these or other concerted activities. (Cases 20-CA-252802 and 20-CA-252902)

(k) Respondent engaged in the conduct described above in subparagraphs 15(d) and (i) because (b) (6), (b) (7)(C) engaged in the conduct described above in subparagraph 15(a) and to discourage employees from engaging in these or other concerted activities. (Case 20-CA-253464)

16. By the conduct described above in paragraphs 7 through 15, Respondent has been interfering with, restraining, and coercing employees in the exercise of the rights guaranteed in Section 7 of the Act.

17. The unfair labor practices of Respondent described above affect commerce within the meaning of Section 2(6) and (7) of the Act.

### **ANSWER REQUIREMENT**

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the Consolidated Complaint. The answer must be **received by this office on or before December 16, 2020**. Respondent also must serve a copy of the answer on each of the other parties.

The answer must be filed electronically through the Agency's website. To file electronically, go to [www.nlr.gov](http://www.nlr.gov), click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to

receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission.

If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the Consolidated Complaint are true.

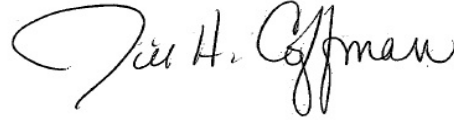
### **NOTICE OF HEARING**

PLEASE TAKE NOTICE THAT on **April 12, 2021, at 9:00 a.m.**, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board at 901 Market Street, Suite 400, San Francisco, California, or method or means, including videoconference, directed by the Administrative Law Judge. At the hearing, Respondent and any other party to this proceeding have the right to appear and present testimony regarding the allegations in this Consolidated Complaint. The procedures to be followed

Order Consolidating,  
Consolidated Complaint and Notice of Hearing  
Cases 20-CA-252802, et al

at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: December 2, 2020

A handwritten signature in black ink, reading "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly legible.

---

JILL H. COFFMAN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS BOARD  
REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Attachments

UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD  
**NOTICE**

Cases 20-CA-252802, 20-CA-252902, 20-CA-252957, 20-CA-253105, 20-CA-253464  
and 20-CA-253982

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements ***will not be granted*** unless good and sufficient grounds are shown ***and*** the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in ***detail***;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

Eileen Naughton  
Google Inc.  
345 Spear Street  
San Francisco, CA 94105

Eileen Naughton  
Google Inc.  
1600 Amphitheater Parkway  
Mountain View, CA 94043

Sara Kalis, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York, NY 10166

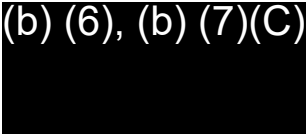
Brian Hayes, Attorney  
Paul Hastings LLP  
200 Park Avenue  
New York, NY 10166

(b) (6), (b) (7)(C)

Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street Suite 828  
San Francisco, CA 94104



(b) (6), (b) (7)(C)

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Sundar Pichai, CEO  
Google, LLC and Alphabet Inc., a single  
employer  
345 Spear Street  
San Francisco, CA 94105

Jennifer Abruzzo  
Communications Workers of America  
(CWA), AFL-CIO  
501 Third St NW, Ste 800  
Washington, DC 20001-2797

(b) (6), (b) (7)(C)

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## Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: [www.nlrb.gov/sites/default/files/attachments/basic-page/node-1717/rules\\_and\\_regs\\_part\\_102.pdf](http://www.nlrb.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf).

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at [www.nlrb.gov](http://www.nlrb.gov), click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

**Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement.** The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

### I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

### II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- **Witnesses and Evidence:** At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.
- **Exhibits:** Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility

of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts:** An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- **Date for Filing Post-Hearing Brief:** Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

### III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- **Exceptions to the ALJ's Decision:** The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.



UNITED STATES GOVERNMENT  
NATIONAL LABOR RELATIONS BOARD

REGION 20  
901 Market Street, Suite 400  
San Francisco, CA 94103-1738

Agency Website: [www.nlr.gov](http://www.nlr.gov)  
Telephone: (415)356-5130  
Fax: (415)356-5156

December 2, 2020

Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street Suite 828  
San Francisco, CA 94104

Re: Alphabet, Inc. and Google, Inc., a single  
employer  
Cases 20-CA-252802  
20-CA-252902  
20-CA-252957  
20-CA-253105  
20-CA-253249  
20-CA-253464  
20-CA-253982

Dear Ms. Burgess:

We have carefully investigated and considered your client's charges alleging that Alphabet, Inc. and Google Inc., a single employer, (the Employer) has violated the National Labor Relations Act.<sup>1</sup> Based upon that investigation, I have decided to dismiss the charge in 20-CA-253249 in its entirety and to dismiss portions of the other charges as described below. The remaining portions of the charges in Cases 20-CA-252802, 20-CA-252902, 20-CA-252957, 20-CA-253105, 20-CA-253464 and 20-CA-253982 will be subject to further proceedings and are included in a Consolidated Complaint issued this same day.

**Decision to Partially Dismiss 20-CA-252802.** Based on the Region's investigation, I have decided to dismiss the portion of the charge in Case 20-CA-252802 alleging that the Employer unlawfully interrogated employees about the NLRB Pop-Up because the Employer was entitled to ask employees limited questions to determine if their conduct lost the protection of the Act and the Employer's questioning did not go beyond that. I am also dismissing the portion of the charge alleging that Google interrogated employees about Always-Ask-Kent (also alleged in 20-CA-252902, 20-CA-253105 and 20-CA-253464) because the conduct about which the Employer was questioning employees was conduct not protected by the Act in that the conduct exceeded the wide-latitude with which employees are permitted to utilize an employer's network because it could have resulted in an egregious disruption of work. *Trico Industries*, 283

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<sup>1</sup> To the extent that the charges in Cases 20-CA-253105, 20-CA-253249, 20-CA-253464 and 20-CA-253982 allege that Alphabet, Inc. and Google, Inc. are joint employers, or that the CEO or Board Members of those companies should be named as charged parties, I am dismissing those portions of the charges because the joint employer analysis is inappropriate in these circumstances and because there is no need to name corporate officers or board members in a complaint.



NLRB 848, 852 (1987). Finally, I am also dismissing the portion of the charge that the Employer unlawfully created an impression of surveillance when (b) (6), (b) (7)(C) asked an employee for (b) (6), (b) (7)(C) name while (b) (6), (b) (7)(C) was handing out fliers because there was insufficient evidence to establish the (b) (6), (b) (7)(C) conduct was out of the ordinary.

The remaining allegations raised by the charge remain subject to further proceedings: namely, that the Employer violated Section 8(a)(1) of the Act by placing employee (b) (6), (b) (7)(C) on Administrative Leave, counseling and placing (b) (6), (b) (7)(C) on a six-month readability review, and by telling employees that Google expected workplace concerns to be raised through the Employer's designated processes (go/my-concerns or the Code of Conduct alias).

**Decision to Partially Dismiss 20-CA-252902.** Based on the Region's investigation, I have decided to dismiss the portion of the charge in Case 20-CA-252902 alleging the Employer violated the Act by creating an impression of surveillance (see above). I have also found that a comment made to an employee during an investigatory interview, to the effect that the Employer knew the employee was "passionate," did not violate Section 8(a)(1) because such a comment would not reasonably create an impression that the Employer was surveilling the employee's protected, concerted activities.

The remaining allegations raised by the charge remain subject to further proceedings: namely, that the Employer violated Section 8(a)(1) of the Act by placing employee (b) (6), (b) (7)(C) on administrative leave (including disconnecting (b) (6), (b) (7)(C) work cell phone) and issuing (b) (6), (b) (7)(C) a final written warning.

**Decision to Partially Dismiss in 20-CA-252957.** Based on the Region's investigation, I have decided to dismiss the following portions of this charge:

The charge alleges, in part, that the Employer violated Section 8(a)(1) of the Act by promulgating its Data Classification/Protection Policies in response to employees' protected, concerted activities. The investigation established that the Employer promulgated and revised these policies, and announced the revisions to employees, more than six months prior to the filing of the charge; thus I am dismissing this allegation based on Section 10(b) of the Act which provides that complaint cannot issue on conduct that occurred more than six months prior to the filing of a charge. More specifically, the revisions were announced to employees by email dated May 9, 2019, and this charge was filed on December 5, 2019.

This charge (and the charge in 20-CA-253105) also alleges that the Employer's Community Guidelines are violative of Section 8(a)(1) of the Act because (1) the Guidelines are alleged to have been promulgated in response to employees' protected, concerted activities; (2) the Guidelines are alleged to be facially overbroad so as to chill employees in the exercise of their Section 7 rights; and (3) the Guidelines are alleged to have been discriminatorily enforced by applying them to employees' protected, concerted activities. I am dismissing this allegation because (1) the investigation uncovered insufficient evidence to establish that the Guidelines were promulgated in response to employees' protected, concerted activities (indeed, at the time the Guidelines were issued, employees were engaged in widespread unprotected, as well as



protected, concerted activities); (2) though the Guidelines direct employees to “Avoid conversations that are disruptive to the workplace . . .”, the Guidelines include a savings clause which makes clear that nothing in the Guidelines are meant to prohibit employees from discussing terms and conditions of employment; and (3) the investigation uncovered insufficient evidence that the Employer applied the Guidelines in a discriminatory manner.

The charge also alleges that the Employer violated Sections 8(a)(1) and (3) of the Act by terminating the employment of employees (b) (6), (b) (7)(C) because they engaged in protected, concerted activities. I am dismissing this charge allegation because the activities for which these employees were terminated (accessing Employer documents to research and support a petition to protest the Employer’s work for a federal government agency (Petition)) did not involve employees’ terms and conditions employment; thus the employees’ activities in connection with the Petition were not protected by Section 7 of the Act. Because this activity was unprotected, I am also dismissing those portions of the charge alleging that the Employer’s questioning of employees about the Petition constituted an unlawful interrogation and alleging that the Employer’s removal of an employee’s Petition-related Dory question was unlawful. I have also concluded that, although (b) (6), (b) (7)(C) engaged in other activity which was protected by the Act, the Employer met its burden under *Wright Line* to establish that it would have terminated them for their conduct relating to the Petition alone, even absent other union or other protected, concerted activity. Moreover, there is insufficient evidence to show that the Employer’s decision to terminate (b) (6), (b) (7)(C) was motivated because of employees’ activities on behalf of a union; therefore, I am dismissing the portion of the charge alleging the Employer violated Section 8(a)(3).

I am also dismissing that portion of the charge alleging that the Employer unlawfully interrogated/surveilled an employee about the identity of employees who accompanied (b) (6), (b) (7)(C) to an investigatory meeting on (b) (6), (b) (7)(C) because the Employer representative made that inquiry after the employees were asked to leave the investigatory meeting, a meeting at which they had no right to be present (this allegation is also alleged in 20-CA-253249).

I am dismissing the portion of the charge alleging that the Employer violated Section 8(a)(3) of the Act by terminating employee (b) (6), (b) (7)(C) because there is insufficient evidence that the Employer’s conduct was motivated by (b) (6), (b) (7)(C) union activities.

The remaining allegations that the Employer violated Section 8(a)(1) of the Act by: promulgating a Calendar Access rule and a Calendar Event Rule in response to employees’ protected, concerted activities; discriminatorily enforcing its Data Classification Policy (also alleged in 20-CA-253105) by applying it to employee (b) (6), (b) (7)(C) in connection with (b) (6), (b) (7)(C) protected, concerted activities (related to the Employer’s process for deciding to remove memes); placing employees (b) (6), (b) (7)(C) on Administrative Leave; and terminating (b) (6), (b) (7)(C) in retaliation for (b) (6), (b) (7)(C) protected concerted activities, remain subject to further proceedings.

**Decision to Partially Dismiss 20-CA-253105 and 20-CA-253464:** I have decided to dismiss the allegation in 20-CA-253105 alleging an interrogation regarding the NLRB Pop-Ups because the Employer was entitled to ask the employees limited questions to determine whether

their conduct lost protection of the Act and the Employer's questioning did not go beyond lawful bounds. I am also dismissing the portion of these charges which allege the Employer violated 8(a)(3) of the Act because there is insufficient evidence that the Employer terminated employee (b) (6), (b) (7)(C) because of (b) (6), (b) (7)(C) union activities.

The remaining allegations in 20-CA-253105 and 20-CA-253464 -- that the Employer violated Section 8(a)(1) of the Act by placing employee (b) (6), (b) (7)(C) on administrative leave and subsequently terminating (b) (6), (b) (7)(C) employment because of (b) (6), (b) (7)(C) protected, concerted activity related to an NLRB Pop-Up -- remains subject to further processing.

**Decision to Fully Dismiss 20-CA-253249:** Based on the Region's investigation, I have decided to dismiss this charge which alleges that the Employer violated Section 8(a)(1) of the Act by surveilling the protected concerted activity of twenty employees who accompanied a coworker to an investigative interview. The evidence was insufficient to establish that the Employer representative's asking the employees to identify themselves was unusual or otherwise coercive. Regarding the allegation that the Employer unlawfully interrogated employees who remained in the interview after the Employer representative asked them to leave, that conduct was not protected by the Act. In these circumstances, the Employer did not unlawfully surveil or interrogate the employees who remained by asking them their names.

**Decision to Partially Dismiss 20-CA-253982:** Based on the Region's investigation, I have decided to dismiss the allegation that the Employer violated Section 8(a)(1) and (3) of the Act by denying employee (b) (6), (b) (7)(C) a promotion because of (b) (6), (b) (7)(C) union and protected, concerted activities. The investigation established that the Employer met its *Wright Line* burden of establishing that (b) (6), (b) (7)(C) promotion was denied for work-related reasons unrelated to any union or other protected, concerted activity.

The remaining allegation, that the Employer violated Section 8(a)(1) by surveilling employees when managers repeatedly accessed and viewed a Google Slide presentation prepared by employees in support of an organizing campaign at HCL Technology, remains subject to further processing.

**Charging Party's Right to Appeal:** The Charging Parties may appeal my decisions to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

**Means of Filing:** You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at [www.nlrb.gov](http://www.nlrb.gov). See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at [www.nlrb.gov](http://www.nlrb.gov). If you require additional assistance with E-Filing, please contact [e-Filing@nlrb.gov](mailto:e-Filing@nlrb.gov)).

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the



**National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001.** Unless filed electronically, a copy of the appeal should also be sent to me.

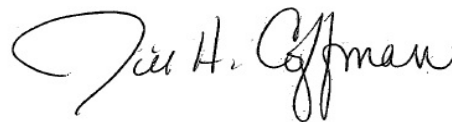
The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

**Appeal Due Date:** The appeal is due on **December 16, 2020**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than December 15, 2020. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

**Extension of Time to File Appeal:** The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before December 16, 2020**. The request may be filed electronically through the *E-File Documents* link on our website [www.nlrb.gov](http://www.nlrb.gov), by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after December 16, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

**Confidentiality:** We will not honor requests to limit our use of appeal statements or evidence. Upon a request under the Freedom of Information Act (FOIA) by a party during the processing of an appeal, the Agency's FOIA Branch discloses appeal statements, redacted for personal privacy, confidential source protection, or other applicable FOIA exemptions. In the event the appeal is sustained, any statement or material submitted may be introduced as evidence at a hearing before an administrative law judge. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jill H. Coffman". The signature is fluid and cursive, with the first name "Jill" and last name "Coffman" clearly distinguishable.

JILL H. COFFMAN  
Regional Director

Enclosure



cc: Eileen Naughton, Employer  
Representative  
Google Inc.  
345 Spear Street  
San Francisco, CA 94105

Sara Kalis, Attorney  
Paul Hastings LLP  
200 Park Ave  
New York, NY 10166-0005

Brian Hayes  
Paul Hastings LLP  
200 Park Avenue  
New York, NY 10166

(b) (6), (b) (7)(C)

Eileen Naughton  
Google Inc.  
1600 Amphitheater Parkway  
Mountain View, CA 94043

Jennifer Abruzzo  
Communications Workers of America  
(CWA), AFL-CIO  
501 Third St NW, Ste 800  
Washington, DC 20001-2797

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD

**APPEAL FORM**

To: General Counsel  
Attn: Office of Appeals  
National Labor Relations Board  
1015 Half Street SE  
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

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Case Name(s).

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Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

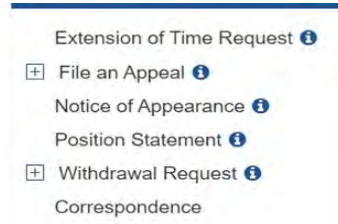
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*(Signature)*

## E-FILING TO APPEALS

1. **Extension of Time:** This document is used when the Charging Party is asking for more time to efile an Appeal.
  - If an Extension of Time is e-filed, and there are additional documents to be e-filed simultaneously with it, please e-file those documents under the selection **Correspondence**.
  - After an Extension of Time has already been e-filed, any **additional** materials to add to the Extension of Time should be e-filed under **Correspondence**.
2. **File an Appeal:** If the Charging Party does not agree with the Region's decision on the case, an Appeal can be e-filed.
  - Only **one (1) Appeal** can be e-filed to each determination in the Region's decision letter that is received.
  - After an Appeal has been e-filed, any **additional** materials to add to the Appeal should be e-filed under **Correspondence**.
3. **Notice of Appearance:** Either party can e-file a Notice of Appearance if there is a new counsel representing one side or a different counsel.
  - This document is only e-filed with the Office of Appeals after a decision has been made by the Region.
  - This document can be e-filed **before** an Appeal is e-filed.
4. **Correspondence:** Parties will **select** Correspondence when adding documents or supplementing the Appeal or Extension of Time.
  - Correspondence is used to e-file documents **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
5. **Position Statement:** The Charging Party or Charged Party may e-file a Position Statement.
  - The Charging Party will e-file this document as a supplement of the Appeal.
  - The Charged Party will specifically file one to support the Region's decision.
  - This document should be e-filed **after** an **Extension of Time, Appeal or Notice of Appearance** has been e-filed.
6. **Withdrawal Request:** If the Charging Party decides to no longer pursue their appeal, he/she can e-file a Withdrawal Request to the Office of Appeals.

- This document should be e-Filed **after** an **Extension of Time, Appeal** or **Notice of Appearance** has been e-filed.



A screenshot of a legal filing dropdown menu. The menu is open, showing a list of options. The first option is "Extension of Time Request" with an information icon. Below it is "File an Appeal" with an information icon and a plus sign in a box to its left. Then "Notice of Appearance" with an information icon. Then "Position Statement" with an information icon. Then "Withdrawal Request" with an information icon and a plus sign in a box to its left. The last option is "Correspondence".

- Extension of Time Request ⓘ
- + File an Appeal ⓘ
- Notice of Appearance ⓘ
- Position Statement ⓘ
- + Withdrawal Request ⓘ
- Correspondence

7. The selections of **Evidence** or **Other** should no longer be used.





UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, DC 20570

December 11, 2020

LAURIE M. BURGESS, ESQ.  
MESSING ADAM & JASMINE LLP  
235 MONTGOMERY ST STE 828  
SAN FRANCISCO, CA 94104

Re: Google, LLC and Alphabet Inc., a single  
employer  
Cases 20-CA-252802  
20-CA-252902  
20-CA-252957  
20-CA-253105  
20-CA-253249  
20-CA-253464  
20-CA-253982

Dear Ms. Burgess:

We are granting your request for an extension of time to file an appeal only to January 11, 2021. As fully explained in the Region's dismissal letter, you **must file** your appeal electronically. If you cannot file electronically, unless already provided to the Region, please provide a written statement explaining why electronic submission is not possible or feasible. With your appeal, you are encouraged to also submit a complete statement of the facts and reasons why you believe the decision was incorrect. **Do not fax or email your appeal.** The Office of Appeals will not process faxed or emailed appeals.

Instructions on how to file your appeal electronically through the Agency's e-filing system can be found on the Agency's website [www.nlrb.gov](http://www.nlrb.gov). If you choose to e-file your appeal, remember to allow enough time to complete the e-filing process by 11:59 pm (E.T.) on January 11, 2021. Otherwise, your appeal will be late.

- 1) Click on E-File documents;
- 2) Enter your NLRB Case Number; and,
- 3) Follow the detailed instructions.

If you cannot file your appeal electronically, please send the appeal and your written explanation of why you cannot file electronically to the General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001. Unless filed electronically, a copy of the appeal should also be sent to the Regional Director. Your appeal will be timely if it is postmarked or given to a delivery service no later than January 10, 2021. If your appeal is postmarked or given to a delivery service on the due date or

after, this office will reject it as untimely. If hand delivered, an appeal must be received by the General Counsel in Washington, D.C. by 5:00 p.m. E.T. on the appeal due date.

Sincerely,

Peter Barr Robb  
General Counsel



By:

Mark E. Arbesfeld, Director  
Office of Appeals

cc: JILL H. COFFMAN  
REGIONAL DIRECTOR  
NATIONAL LABOR RELATIONS  
BOARD  
901 MARKET ST STE 400  
SAN FRANCISCO, CA 94103-1738

BRIAN HAYES, ESQ.  
PAUL HASTINGS LLP  
200 PARK AVE  
NEW YORK, NY 10166

SARA KALIS, ESQ.  
PAUL HASTINGS LLP  
200 PARK AVE  
NEW YORK, NY 10166

EILEEN NAUGHTON  
EMPLOYER REPRESENTATIVE  
GOOGLE INC.  
345 SPEAR ST  
SAN FRANCISCO, CA 94105

EILEEN NAUGHTON  
GOOGLE INC.  
1600 AMPHITHEATER PARKWAY  
MOUNTAIN VIEW, CA 94043

JENNIFER ABRUZZO, ESQ.  
COMMUNICATIONS WORKERS OF  
AMERICA (CWA), AFL-CIO  
501 THIRD ST NW, STE 800  
WASHINGTON, DC 20001-2797

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**

---

GOOGLE, LLC and ALPHABET INC., a single employer,

Respondents,

and

**(b) (6), (b) (7)(C)**, an Individual,

Case Nos.: 20-CA-252802

Charging Party,

and

**(b) (6), (b) (7)(C)**, an Individual,

20-CA-252902

Charging Party,

and

COMMUNICATION WORKERS OF AMERICA, AFL-CIO,

20-CA-252957

20-CA-253105

Charging Party,

20-CA-253464

and

**(b) (6), (b) (7)(C)**, an Individual,

20-CA-253982

Charging Party.

---

**ANSWER TO CONSOLIDATED COMPLAINT**

---

Google, LLC and Alphabet, Inc. (collectively “Respondents”), answer the allegations in the Consolidated Complaint (“Consolidated Complaint”) dated December 2, 2020, and assert their Affirmative Defenses, as follows:

1. In answering paragraph 1 of the Consolidated Complaint:

(a) Admit;

- (b) Deny on the ground that the first amended charge in Case No. 20-CA-252802 has not been received;
  - (c) Admit;
  - (d) Deny on the ground that the first amended charge in Case No. 20-CA-252902 has not been received;
  - (e) Admit;
  - (f) Admit;
  - (g) Admit;
  - (h) Admit;
  - (i) Admit.
2. In answering paragraph 2 of the Consolidated Complaint:
- (a) Deny on the ground that Respondents' headquarters are in Mountain View, not Menlo Park, California;
  - (b) Admit;
  - (c) Deny on the ground that Respondents' headquarters are in Mountain View, not Menlo Park, California.
3. In answering paragraph 3 of the Consolidated Complaint:
- (a) Admit;
  - (b) Admit;
  - (c) Admit.
4. In answering paragraph 4 of the Consolidated Complaint:
- (a) Admit that, for the purposes of this Consolidated Complaint, Respondents are a single employer. Except as expressly admitted, deny;



- (b) Admit that, for the purposes of this Consolidated Complaint, Respondents are a single employer. Except as expressly admitted, deny.
5. Admit.
6. Admit the identified individuals were or are still employed with Respondents, commencing on and after November 1, 2019. Except as expressly admitted, deny.
7. Deny.
8. Deny.
9. Admit that on or about November 13, 2019, (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C) asked an employee questions about “access of employees’ calendars and MemeGen Takedown Documents.” Except as expressly admitted, deny.
10. Deny.
11. In answering paragraph 11 of the Consolidated Complaint:
- (a) Admit;
- (b) Deny.
12. In answering paragraph 12 of the Consolidated Complaint:
- (a) Deny;
- (b) Deny.
13. In answering paragraph 13 of the Consolidated Complaint, Respondents state that:
- (a) Deny;
- (b) Deny.
14. In answering paragraph 14 of the Consolidated Complaint, Respondents state that:
- (a) Deny;

- (b) Admit (b) (6), (b) (7)(C) “accessed employee accessible calendars and documents regarding the MemeGen Takedown Process.” Except as expressly admitted, deny;
  - (c) Admit (b) (6), (b) (7)(C) was “placed on administrative leave.” Except as expressly admitted, deny;
  - (d) Admit (b) (6), (b) (7)(C) was “placed on administrative leave.” Except as expressly admitted, deny;
  - (e) Admit;
  - (f) Deny.
15. In answering paragraph 15 of the Consolidated Complaint, Respondents state that:
- (a) Admit (b) (6), (b) (7)(C) wrote “code for a pop-up featuring an NLRB Notice from Case 32-CA-176462 that would automatically appear when an employee visited Respondent’s Community Guidelines and other web pages.” Except as expressly admitted, deny;
  - (b) Admit;
  - (c) Admit;
  - (d) Admit;
  - (e) Admit;
  - (f) Admit;
  - (g) Admit;
  - (h) Admit “Respondent counseled (b) (6), (b) (7)(C) and placed (b) (6), (b) (7)(C) on a 6-month readability review.” Deny this occurred on or about (b) (6), (b) (7)(C), 2018;

- (i) Admit;
  - (j) Deny;
  - (k) Deny.
16. Deny.
17. Deny.

### **AFFIRMATIVE DEFENSES**

1. The conduct alleged in the Consolidated Complaint was not protected by the Act and, even if it was, the conduct lost any protection it might have otherwise had under the Act.

2. The discipline alleged in the Consolidated Complaint was warranted by violations of Respondents' policies, such as Google's Code of Conduct and Standards of Conduct policies, the validity of which are not at issue.

3. Respondents acted lawfully to maintain a work environment that is free of unlawful discrimination, harassment and bias.

4. Respondents deny any discipline alleged in the Consolidated Complaint was in whole or in part for protected conduct, but the same discipline would have been imposed even in the absence of protected conduct, and was based on legitimate business reasons and not discriminatory or retaliatory animus.

**WHEREFORE**, Respondents respectfully request the following relief:

1. Judgment be entered dismissing the Consolidated Complaint on the merits and with prejudice in its entirety; and
2. Directing such other relief as the Board deems just and equitable.

DATED: December 16, 2020

Respectfully submitted,  
PAUL HASTINGS LLP  
CAMERON W. FOX  
J. AL LATHAM, JR.  
SARA B. KALIS  
ERIC DISTELBURGER  
BRIAN HAYES

By: \_\_\_\_\_

SARA B. KALIS  
PAUL HASTINGS LLP  
200 Park Ave.  
New York, NY 10166  
sarakalis@paulhastings.com

Attorneys for Respondents  
GOOGLE, LLC and  
ALPHABET INC.



**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 20**

---

GOOGLE, LLC and ALPHABET INC., a single employer,

Respondents,

and

**(b) (6), (b) (7)(C)**, an Individual,

Case Nos.: 20-CA-252802

Charging Party,

and

**(b) (6), (b) (7)(C)**, an Individual,

20-CA-252902

Charging Party,

and

COMMUNICATION WORKERS OF AMERICA, AFL-CIO,

20-CA-252957

Charging Party,

20-CA-253105

20-CA-253464

and

**(b) (6), (b) (7)(C)**, an Individual,

20-CA-253982

Charging Party.

---

**CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of December, 2020, I electronically filed the foregoing **ANSWER TO CONSOLIDATED COMPLAINT** with the National Labor Relations Board using the agency's website ([www.nlr.gov](http://www.nlr.gov)). I also certify that I have served said

**ANSWER TO CONSOLIDATED COMPLAINT** via e-mail, where available, and U.S. Mail

to the following party to this action:

(b) (6), (b) (7)(C)

Laurie M. Burgess, Counsel  
Messing Adam & Jasmine LLP  
235 Montgomery Street Suite 828  
San Francisco, CA 94104  
[laurie@majlabor.com](mailto:laurie@majlabor.com)

(b) (6), (b) (7)(C)

Jennifer Abruzzo  
Communications Workers of America (CWA), AFL-CIO  
501 Third St NW, Ste 800  
Washington, DC 20001-2797  
[jabruzzo@cwa-union.org](mailto:jabruzzo@cwa-union.org)

AFL-CIO Lawyers Coordinating Committee  
501 Third St NW, Ste 800  
Washington, DC 20001-2797

(b) (6), (b) (7)(C)

David Rosenfeld  
Weinberg Roger and Rosenfeld  
1001 Marine Village Parkway  
Suite 200  
Alameda, CA 94501

Ellen West  
Domonique Thomas  
Communications Workers of America, AFL-CIO, District 9  
12215 Telegraph Road  
Suite 210  
Santa Fe Springs, CA 90670

Frank Arce  
CWA District 9  
2804 Gateway Oaks Drive, Suite 150  
Sacramento, CA 95833-4324

DATED: December 16, 2020

Respectfully submitted,  
PAUL HASTINGS LLP  
CAMERON W. FOX  
J. AL LATHAM, JR.  
SARA B. KALIS  
ERIC DISTELBURGER  
BRIAN HAYES

By: \_\_\_\_\_  
SARA B. KALIS  
PAUL HASTINGS LLP  
200 Park Ave.  
New York, NY 10166  
sarakalis@paulhastings.com

Attorneys for Respondents  
GOOGLE, LLC and  
ALPHABET INC.